1 2 3 UNITED STATES DISTRICT COURT 4 DISTRICT OF NEVADA 5 6 7 UNITED STATES OF AMERICA, Case No. 2:08-CR-283-KJD-PAL 8 Plaintiff, 9 v. **ORDER** 10 MARKETTE TILLMAN, 11 Defendant. 12 13 14 Before the Court is a document (#1033) filed by Defendant independently from his legal 15 counsel, and seeking to withdraw his guilty plea. Because Defendant was represented by counsel, 16 only counsel may file motions. See 28 U.S.C. § 1654; United States v. Crowhurst, 629 F.2d 17 1297, 1301 (9th Cir. 1980) ("[T]he right to assistance of counsel and the right to waive that 18 assistance and appear pro se are disjunctive rights."). Accordingly, the Court will not consider 19 Defendant's filing (#1033). Defendant's recent filing through counsel reflects this same 20 understanding (#1038). 21 22 DATED this 15th day of January 201 5 23 24 25 Kent J. Dawson United States District Judge 26